

**BEFORE THE WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE**

**WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE,**

**Complainant,**

**v.**

**Complaint Nos. 2023-17 and 2024-13**

**MOLLY MALONE-PRIOLEAU, D.O.,**

**Respondent.**

**CONSENT ORDER**

The West Virginia Board of Osteopathic Medicine ("Board") and Molly Malone-Pringleau, D.O. ("Dr. Malone-Pringleau"), agree to entry of the following Consent Order pursuant to W. Va. Code § 30-14-1 *et seq.*, W. Va. Code § 30-1-1 *et seq.*, and the rules of the Board.

**FINDINGS OF FACT**

The Board and Dr. Malone-Pringleau stipulate to the truthfulness and accuracy of the following facts:

1. Dr. Malone-Pringleau is a licensee of the Board, possessing Board-issued license number 2801 to practice osteopathic medicine and surgery in the state of West Virginia.
2. On October 9, 2023, the Board received a complaint from a member of the public asserting various allegations against Dr. Malone-Pringleau, and the Board designated that matter as Complaint No. 2023-17.
3. On January 23, 2024, Dr. Malone-Pringleau filed a Response denying the allegations set forth in Complaint No. 2023-17.
4. On May 7, 2024, the Board initiated Complaint No. 2024-13 alleging that Dr. Malone-Pringleau had pre-signed prescription blanks for use by other providers to prescribe controlled substances.

5. During its investigation, the Board subpoenaed and received the medical records for 10 patients of Dr. Malone-Prioleau.

6. The Board's review of the medical records and the West Virginia Controlled Substances Monitoring Program Database ("CSMP Database") revealed that Dr. Malone-Prioleau did not access the CSMP Database before prescribing controlled substances to the 10 patients.

6. On September 11, 2024, the Board amended Complaint No. 2024-13 to allege that Dr. Malone-Prioleau had failed to access the CSMP Database before prescribing controlled substances to the 10 aforementioned patients as required by W. Va. Code § 60A-9-5a(b).

7. The Board and Dr. Malone-Prioleau voluntarily enter into this Consent Order to resolve Complaint Nos. 2023-17 and 2024-13.

### **CONCLUSIONS OF LAW**

1. The West Virginia Board of Osteopathic Medicine is a board of examination and registration created for the purpose of regulating the practice of osteopathic medicine and surgery in the state of West Virginia. W. Va. Code § 30-14-1 *et seq.*

2. W. Va. Code § 60A-9-5a(b) provides, in part, that an osteopathic physician licensed by the Board, "upon initially prescribing or dispensing any Schedule II controlled substance, any opioid or any benzodiazepine to a patient who is not suffering from a terminal illness, and at least annually thereafter should the practitioner or dispenser continue to treat the patient with a controlled substance, shall access the West Virginia Controlled Substances Monitoring Program Database for information regarding specific patients."<sup>1</sup>

3. W. Va. Code § 60A-9-7(g) provides, in part, that a practitioner who fails to access the required information "shall be subject to such discipline as the licensing board deems

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<sup>1</sup> This requirement is also set forth in the Board's legislative rules at W. Va. Code R. § 24-7-4.

appropriate and on or after July 1, 2016, be subject to a \$100 administrative penalty per violation by the applicable licensing board."

4. Probable cause may exist to substantiate disciplinary action against Dr. Malone-Pringleau for failure to access the CSMP Database pursuant to W. Va. Code § 60A-9-5a(b) and § 60A-9-7(g) and the Board's legislative rules, including the provisions of W. Va. Code R. § 24-7-1 *et seq.*

5. The Board is authorized to enter into consent orders where appropriate, and the Board finds that entry of a consent order is appropriate in this case. W. Va. Code § 30-1-8(g).

#### **ACKNOWLEDGMENT OF RIGHTS**

I, Molly Malone-Pringleau, D.O., having read this document and by signing my name to it, understand and acknowledge the following:

1. This is a legally binding document that affects my rights and privileges.
2. I have the right to consult a lawyer concerning the terms of this agreement and the legal rights and remedies that may otherwise be available to me, and I have exercised that right in this case.
3. I understand that I have a right to a hearing regarding any charges against me or any action taken against my license. The West Virginia Board of Osteopathic Medicine may not suspend, revoke or take any other disciplinary action regarding my license unless one of three conditions occur: 1) I give my consent to entry of an order restricting, suspending or revoking my license, or 2) the Board conducts a hearing before imposing any restriction, suspension or revocation, or 3) the Board finds that my continuation in practice constitutes an immediate danger to the public.

4. I understand that, instead of accepting this agreement, I may demand that the Board prove the charges against me by presenting evidence in a hearing conducted under law. If I chose to have a hearing, I would not have the burden of proof. I could, however, present evidence on my own behalf and I would have the right to cross-examine any witnesses who might testify against me. I also understand that I have the right to subpoena records and witnesses in order to compel their production at the hearing.

5. I acknowledge and admit that, if I violate any terms and conditions of this Order, my violations may constitute an immediate danger to the public and that, for such reasons, the Board may suspend or revoke my license without a prior hearing.

6. I understand that the Board could move to impose additional sanctions, including revocation of my license, if I am subjected to penalties in another administrative, civil, or criminal forum for the same or similar conduct set forth in the above-referenced complaints.

7. I understand that this is a public document and that the Board is legally obligated to allow any person to review this Consent Order. I also understand that this action and Order may be reported to other boards, to other jurisdictions, to the National Practitioner Data Bank, to the Federation of State Medical Boards, and as otherwise required by law.

8. I understand that, as a result of this Consent Order, other licensing boards and authorities may take adverse action against my licenses, including revocation.

#### **TERMS OF ORDER**

**WHEREFORE**, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of Molly Malone-Pringleau, D.O., the West Virginia Board of Osteopathic Medicine **ORDERS** as follows:

1. Dr. Malone-Pringleau's license is **SUSPENDED** for a period of **TWO (2) YEARS**. Such suspension is immediately **STAYED**, and Dr. Malone-Pringleau is hereby placed on **PROBATION** for a period of **TWO (2) YEARS**.

2. During the period of probation, Dr. Malone-Pringleau shall be **LIMITED** to only prescribing, dispensing, or administering controlled substances in an emergency department setting. During the period of probation, Dr. Malone-Pringleau shall be **PROHIBITED** from prescribing, dispensing, or administering controlled substances in any other setting.

3. Dr. Malone-Pringleau shall provide the Board with copies of each DEA Registration that she will use to prescribe, dispense, or administer controlled substances. The Board will monitor Dr. Malone-Pringleau's prescribing reports through the CSMP Database at regular intervals and may subpoena patient records to audit Dr. Malone-Pringleau's prescribing.

4. Dr. Malone-Pringleau is **FINED \$1,000.00** for failure to access the CSMP Database. The fine will be deposited in the Fight Substance Abuse Fund pursuant to W. Va. Code § 60A-9-7(g). Dr. Malone-Pringleau shall pay the fine within **90 days** of entry of this Consent Order.

5. Dr. Malone-Pringleau will conduct herself in a professional manner in all aspects of her work and practice and will remain free of any charges of unprofessional conduct or disciplinary action before this Board, any corresponding board in any other jurisdiction, any other state or federal agency, or before any hospital, peer review committee, or medical corporation or partnership.

6. Dr. Malone-Pringleau will be truthful and forthright in all communications with the Board.

7. Dr. Malone-Pringleau shall not violate, or be charged with, any criminal laws of the state of West Virginia, the United States, or of its states, possessions or territories.

8. Dr. Malone-Pringleau shall, at all times, comply with the requirements of the Board's Practice Act, W. Va. Code § 30-14-1 *et seq.*, and the Board's legislative rules promulgated thereunder.

9. Dr. Malone-Prioleau's failure to comply with terms 2 through 4 of this Consent Order shall constitute a material violation of the Consent Order and shall void the stay of her license suspension.


10. If Dr. Malone-Prioleau fails to comply with or complete any of the terms stated herein, the West Virginia Board of Osteopathic Medicine may rescind or modify this Consent Order and take any other action which is authorized by law.

11. The conditions stated herein do not automatically expire. Dr. Malone-Prioleau must apply to the West Virginia Board of Osteopathic Medicine to lift these conditions, and she must demonstrate to the Board that she has satisfactorily completed and complied with the terms of this Consent Order.

**ACKNOWLEDGMENT OF LICENSEE:**

I have reviewed the provisions of this Consent Order. I agree to abide by the terms set out herein and to be bound by them.

Signed:

  
Molly Malone-Prioleau, D.O.

Date:


01/17/2025

**ORDERED BY THE BOARD OF OSTEOPATHIC MEDICINE:**

By agreement of the West Virginia Board of Osteopathic Medicine, it is so **ORDERED** and entered this 21st day of January, 2025.

WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE

By:

  
Jimmy W. Adams, D.O.  
President

West Virginia Board of Osteopathic Medicine